

REMARKS

Applicant has reviewed and considered the Office Action mailed on September 22, 2004.

No claims were amended, canceled, or added. Claims 1-37 are pending in this application.

Double Patenting Rejection

Claims 1-37 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-33 of U.S. Patent No. 6,666,537.

A Terminal Disclaimer in compliance with 37 CFR 1.321(b)(iv) is enclosed herewith to overcome these rejections.

Applicant respectfully request reconsideration and allowance of claims 1-37.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (360) 212-8052 to facilitate prosecution of this matter.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

CERTIFICATE UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: **MS AMENDMENT** Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 12th day of November, 2004.

Sarah L Reinhard
Name

Sarah L Reinhard
Signature

Respectfully Submitted,
Richard A. Kelley, et al.

By their Representatives,
BROOKS & CAMERON, PLLC
1221 Nicollet Avenue, Suite 500
Minneapolis, MN 55403

By:

Jeffery L. Cameron
Jeffery L. Cameron
Reg. No. 43,527

Date:

11/12/04